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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,483	12/27/2000	Jae-Yong Lee	A33863	2849
21003	7590	06/23/2004	EXAMINER	
BAKER & BOTTS 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PHU, PHUONG M	
			ART UNIT	PAPER NUMBER
			2631	

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/748,483

Applicant(s)

LEE, JAE-YONG

Examiner

Phuong Phu

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) 4-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date Z.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 5/27/04.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Honda (5,970,084), previously cited.

As per claim 1, see figures 4A, 6 and 7, and col. 1, line 17 to col. 2, line 45, Honda discloses an apparatus comprising:

a correlation value calculation means (6, 11, 16) (see figures 6) having a number of correlation value calculators (25, 30) (see figure 7), each of which calculates a correlation value between information, selected by selection means (4, 9, 14) (see figures 6), and an input signal (see col. 1, lines 48-55 and col. 2, lines 35-44); and

a correlation circuit control means ((5, 6, 7), (10, 11, 12) and (15, 16, 17)) (see figure 6) having a number of correlation circuit controllers (49, 33, 34, 35) (see figure 7) each of which receives a correlation value from a corresponding one of the correlation value calculator means and compares the received correlation value to a threshold during an interval and controlling the operation of each of the correlation value calculators by using each of the comparing results (see col. 2, lines 6-44) wherein a received correlation value is selected as a decision parameter when said received correlation value is equal to or greater than the threshold in such a way that the

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timing of said received correlation value being equal or greater than the threshold is used for acquiring synchronization (see col. 2, lines 35-44).

As per claim 2, Honda discloses that the interval is obtained as a sub-interval during a total monitoring interval $(-3dt, 3dt)$ of each of the correlation value calculators (see figure 4A, and col. 2, lines 22-44).

As per claim 3, Honda discloses that said threshold value is determined in order to determine whether one of the correlation value calculators operates or not during an interval (see col. 2, lines 22-44).

Response to Arguments

4. Applicant's arguments filed on 5/27/04 have been fully considered but they are not, in part, persuasive.

With respect to the objection to Drawings, the objection is now withdrawn since the Drawings have been amended to overcome the objection.

With respect to the objection to Abstract, the objection is now withdrawn since the Abstract has been amended to overcome the objection.

With respect to the rejection, under 35 USC 112, to claims 1-3, the rejection is now withdrawn since the claims have been amended to overcome the rejection.

Applicant's arguments with respect to the rejection, under 35 USC 102(b), to claims 1-3 are not persuasive. The applicant mainly argues that Honda (5,970,084) fails to disclose that **only the correlation value calculator having a larger value than the threshold value in the monitoring section calculates the correlation value**, (as stated on page 10 in REMARKS). This argument is not persuasive because the description "only the correlation value calculator

having a larger value than the threshold value in the monitoring section calculates the correlation value" is not found in the claims.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong Phu whose telephone number is 703-308-0158. The examiner can normally be reached on M-F (8:30-6:00) First Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 703-306-3034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuong Phu
Primary Examiner
Art Unit 2631

Phuong Phu

Phuong Phu
06/17/04

**PHUONG PHU
PRIMARY EXAMINER**